



~~March 18, 2003 CPC~~
April 23, 2003 BS

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

03SR0213

American Waste Industries

Bermuda Magisterial District
1306 Bellwood Road

REQUEST: Renewal of Conditional Use (Case 98SR0167) to permit continued operation of a packaged medical waste transfer facility in a Heavy Industrial (I-3) District.

PROPOSED LAND USE:

Continued operation of a packaged medical waste transfer facility is proposed.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL SUBJECT TO THE CONDITIONS ON PAGE 2.

STAFF RECOMMENDATION

Recommend approval for the following reasons:

- A. The packaged medical waste transfer facility conforms to the Consolidated Eastern Area Plan which suggests the request property and surrounding area are appropriate for industrial use.
- B. The packaged medical waste transfer facility is compatible with existing and anticipated area industrial development.
- C. The packaged medical waste transfer facility has operated on the request property for approximately seven (7) years with no known adverse impacts to public health and safety.

- D. The recommended conditions insure that the proposed packaged medical waste transfer facility continues to operate in a safe manner.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER(S) MAY PROFFER OTHER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

CONDITIONS

- | | | |
|-------------|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (STAFF/CPC) | 1. | A maximum of two (2) storage trailers shall be permitted on-site at any one (1) time. Medical wastes stored in these trailers shall be refrigerated at all times, maintained in an ambient temperature between thirty-five (35) and forty-five (45) degrees Fahrenheit. Facilities shall be restricted to those improvements necessary to accommodate medical waste transfer to, and temporary storage in, these trailers in accordance with State and County requirements. (P) |
| (STAFF/CPC) | 2. | The medical waste transfer and storage facility shall be enclosed by a minimum six (6) foot high fence, designed to preclude trespassing. The exact design of this fence shall be approved by the Planning Department. (P) |
| (STAFF/CPC) | 3. | All trucks and trailers containing medical waste shall be placarded to identify the contents under transport or in storage as medical waste. All containers of medical waste shall be labeled to identify the contents as medical waste. (ES) |
| (STAFF/CPC) | 4. | A security plan shall be submitted every two (2) years for review and approval by the Police Department and, if deemed necessary, modified to insure that medical wastes are secured. (PD) |
| (STAFF/CPC) | 5. | A notification and cleanup plan shall be submitted every two (2) years for review and approval by Emergency Services and, if necessary, modified to insure that medical waste spills are quickly and safely cleaned and transported to an approved disposal facility. (ES) |
| (STAFF/CPC) | 6. | The entrance to the site shall be posted to notify those entering the site that medical waste is stored on the site. Further, the fence shall be posted in a manner to provide notice that medical waste is stored on the site. The exact design and location of this posting shall be approved by the Planning Department and Emergency Services. (ES&P) |

GENERAL INFORMATION

Location:

North line of Bellwood Road, east of Haven Avenue and known as 1306 Bellwood Road.
Tax ID 798-677-Part of 3046 (Sheet 23).

Existing Zoning:

I-3

Size:

1.4 acres

Existing Land Use:

Industrial

Adjacent Zoning and Land Use:

North, South, East and West - I-3; Industrial or vacant

UTILITIES

The use of the public water and wastewater systems is not required for the packaged medical waste transfer facility.

ENVIRONMENTAL

Drainage and Erosion:

Property drains north to the James River. No existing or anticipated on- or off-site drainage or erosion problems.

Water Quality:

Virginia Department of Environmental Quality (DEQ) regulations require on-site containment of accidental medical waste spills to insure that medical wastes do not contaminate ground and surface water.

PUBLIC FACILITIES

Fire Service:

Currently, fire and emergency services protection is provided by the Centralia Fire/Rescue Station, Company 17. This request will have a minimal impact upon these services.

Transportation:

This request will have no additional impact on the existing transportation network.

Health; Police; and Emergency Services:

The existing medical waste transfer facility has posed no known public health problems. Continued operation of this facility should pose no future problems if medical wastes continue to be properly transported and stored and the transfer site is secured. (Conditions 1 through 6)

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Consolidated Eastern Area Plan which suggests the request property is appropriate for general industrial use.

Area Development Trends:

Area properties are zoned industrially and have been developed for industrial uses or remain vacant.

Zoning History:

On November 21, 1995, the Board of Supervisors, upon a favorable recommendation by the Planning Commission, approved a Conditional Use to permit a packaged medical waste transfer facility in a Heavy Industrial (I-3) District (Case 96SN0126). This Conditional Use was granted for a period of two (2) years.

On March 11, 1998, the Board of Supervisors, upon a favorable recommendation by the Planning Commission, approved renewal of Conditional Use (Case 96SN0126) to permit the continued operation of the packaged medical waste transfer facility (Case 98SR0167). At the Planning Commission's recommendation, the Board imposed a condition renewing this Conditional Use for a five (5) year period to allow reevaluation of the facility.

Site Design:

The request site has been developed for use as a packaged medical waste transfer facility and consists of an enclosure secured with a chain link fence and locked gate. Access is provided via a graveled driveway to Bellwood Road. Vehicles receiving packaged medical wastes from area medical facilities transport these packages to the request property and transfer the packages to trailers parked within the fenced enclosure. Once the trailers are filled, the packages are transported to the applicant's medical waste treatment facilities in Norfolk.

The applicant has made minimal improvements to the request property. These improvements include facilities to contain accidental spills of medical waste prior to disinfection and cleanup, provisions to insure that packaged medical waste is protected from rainfall during transfer from trucks to trailers, and site security in accordance with DEQ and County requirements. The site security plan and a medical waste spill containment plan should be periodically reviewed throughout the life of the facility. (Conditions 4 and 5)

The request property lies within a Post Development Area. Redevelopment of the site or new construction must conform to the development standards of the Zoning Ordinance which address access, parking, landscaping, architectural treatment, setbacks, signs, lighting, utilities and screening of dumpsters and loading areas.

CONCLUSIONS

The packaged medical waste transfer facility conforms to the Consolidated Eastern Area Plan which suggests the request property and surrounding area are appropriate for industrial use and is compatible with existing and anticipated area industrial development. The recommended conditions would insure that the packaged medical waste transfer facility continues to operate in a safe manner and with a minimal impact upon the community. Given that this use has operated for approximately seven (7) years with no known adverse impacts on area uses or public health and safety, staff is recommending no time limitation on the operation of this facility.

Given these considerations, approval of this request is recommended.

CASE HISTORY

Planning Commission Meeting (3/18/03):

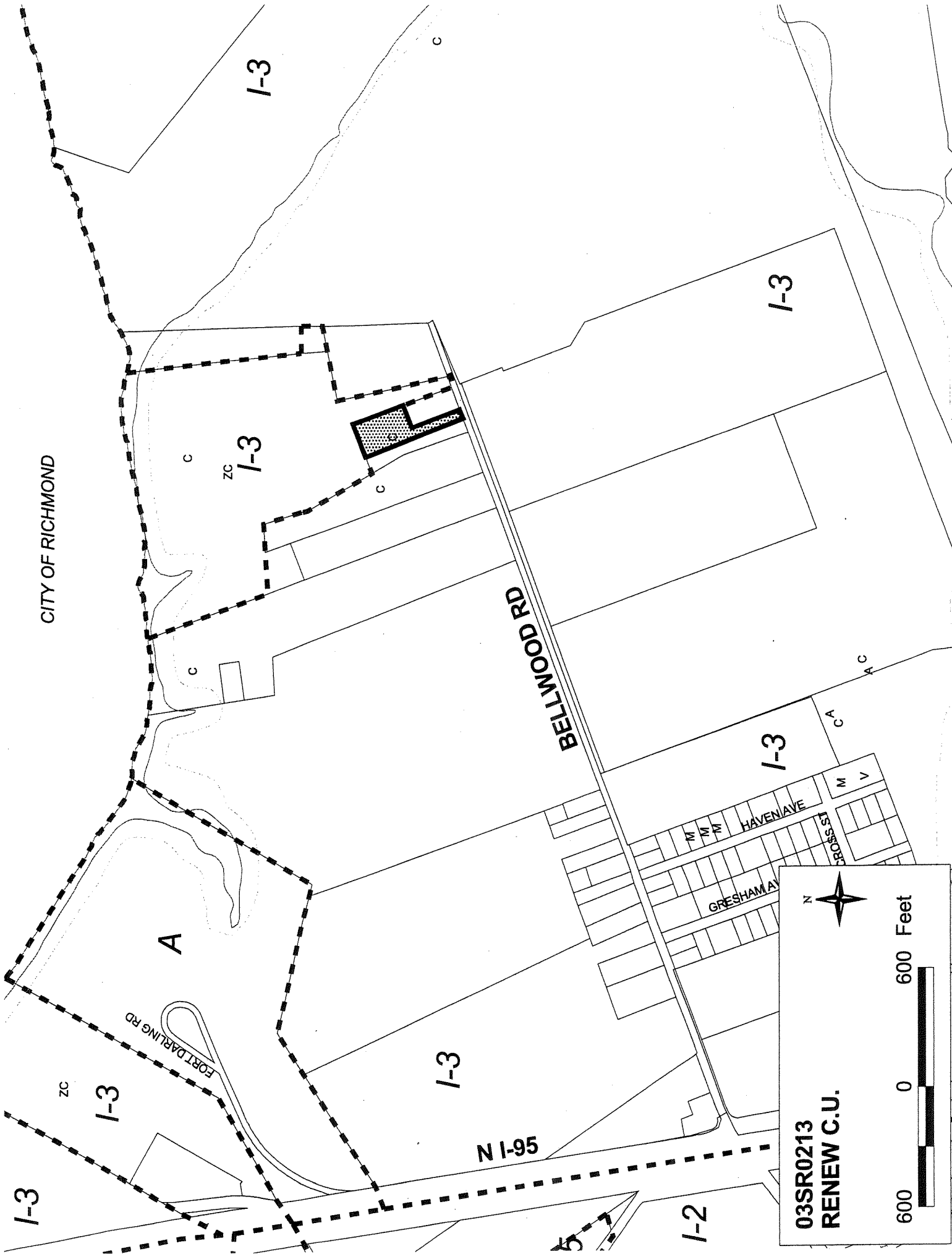
The applicant did not accept the imposition of Condition 1 requiring refrigeration of waste material noting that the Department of Environmental Quality (DEQ) does not require refrigeration until the material has been on-site for more than seven (7) days.

Mr. Cunningham indicated that he could not support amending the condition because of the County's inability to monitor how long the materials has been on the site. He agreed to further discuss the condition with the applicant prior to the Board's consideration of the case.

On motion of Mr. Cunningham, seconded by Mr. Gulley, the Commission recommended approval of this request subject to the conditions on page 2.

AYES: Unanimous.

The Board of Supervisors, on Wednesday, April 23, 2003, beginning at 7:00 p.m., will take under consideration this request.



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